

REMARKS/ARGUMENTS

Claims 1-6 and 8-17 are pending. Claims 1-17 were rejected as unpatentable over Forte in view of Antoon, Jr.

The Office Action asserted that the silicone-coated microporous film taught by Antoon, Jr. is free of particulate filler, and cited col. 3, lines 14-17 as evidence of such teaching.

Applicant respectfully disagrees with this reading of Antoon, Jr. The cited lines merely indicate that examples of the water vapor permeable film can include “siliconecoated microporous films”, without further qualifying precisely what such films are. However, Antoon, Jr. later describes in detail what he means by “microporous films”. At col. 3, lines 52-53, he describes that the “CAP film of the present invention is prepared from a polymer having dispersed therein an inert filler.” Then, at column 4, lines 18-34, Antoon, Jr. describes clearly that the microporous films employed in his invention include an inorganic filler. Antoon, Jr. describes two exemplary microporous films at col. 4, lines 53-68, both of which films include high levels of filler (36-60% by weight filler for the uniaxially oriented film, 40-60% by weight filler for the biaxially oriented film). Nowhere does Antoon, Jr. indicate that the silicone-coated microporous film can be free of particulate filler. On the contrary, it is clear that the microporous films taught by Antoon, Jr. have high levels of particulate filler.

Thus, it is incorrect to assert that Antoon, Jr.’s microporous films are disclosed as being free of particulate filler.

Similarly, Antoon, Jr. discloses that the microporous films of his package are prepared from a polymer *having an inert filler* dispersed therein (col. 3, lines 52-53; col. 4, lines 18-34 and 52-68).

Thus, both Forte and Antoon, Jr. disclose only filled microporous films. In contrast, the present claims recite microporous layers that are free of particulate filler.

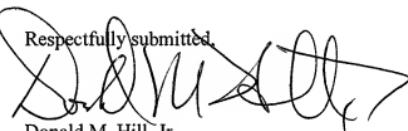
Appl. No.: 10/661,848
Amdt. Dated 03/28/2007
Reply to Office Action of 12/28/2006

Therefore, Forte and Antoon, Jr., fail to teach or suggest the claimed invention. For at least these reasons, the rejections are erroneous and should be withdrawn.

Conclusion

Based on the above remarks, it is submitted that the application is in condition for allowance.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefor (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

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ELECTRONICALLY FILED USING THE EFS-WEB ELECTRONIC FILING SYSTEM OF THE UNITED STATES PATENT & TRADEMARK OFFICE ON March 28, 2007.
LEGAL02/30309564v1